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DENNEGAN & SCREPH LLC ATTORNEYS AT LAW 350 FIFTH AVENUE NEW YORK, NEW YORK 10128
> : 12-332-8300 . 12-332-8301 Тылкоортки

August 24, 2012

By Facsimile

Hon. Victor Marrero
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312
Fax: (212) 305-6382

Re: North Jersey Media Group Inc. v. John Doe Nos. 1-5 d/b/a stoopidhousewives.com
12 Civ. 6152 (VM)

Dear Judge Marrero,

We are attorneys for plaintiff North Jersey Media Group Inc. ("NJMG") in the above action.

We are writing to request a pre-motion conference in anticipation of filing a motion pursuant to Fed. R. Civ. P. 26(d) for an order authorizing NJMG to serve a subpoena on Domains By Proxy, LLC to determine the identity of defendants John Doe Nos. 1-5 d/b/a stoopidhousewives.com, which are presently unknown to us. The need for this motion is explained below.

The complaint alleges that, without permission, the defendants reproduced and distributed copies of at least 89 of NJMG's copyrighted photographs by posting copies of them at www.stoopidhousewives.com on or about April 23, 1012.

On July 30, 2012, I sent an e-mail to defendants at the e-mail address identified on their site, stoopidhousewives@gmail.com to assert a claim. Defendants removed the infringing photographs from their website on or about Augus 1, 2012.

On August 2, 2012, I received a letter from The Webb Law Firm in Pennsylvania. This letter indicated that the firm

www.stcopidhousewives.com, but did not disclose the identity of those administrators. That letter was introductory in nature, and stated that the firm would be in future contact.

On August 8, 2012, having heard no more from defendants, I contacted Paul Resnick, an attorney with The Webb Law Firm, asking him to disclose the identity of his clients. He advised me that he was not authorized to do so. Although he stated that he would be in further contact regarding NJMG's claims, I have not heard from Mr. Resnick, or any other attorney, on behalf of the defendants.

One can usually obtain the identity of the operator of a website by doing a WHOIS search at a registrar's website, such as http://who.godaddy.com. However, the domain name stoopidhousewives.com is registered to Domains By Proxy, LLC. Domains By Proxy, LLC acts as an intermediary between a person who wants to register a domain name and the registrar, so that the former may conceal his or her identity from the public.

Domains By Proxy, LLC releases identifying information about its users only in certain circumstances, such as in response to a court order or a subpoena. We have requested that Domains by Proxy, LLC, identify the defendants for us without a court order, but it confirmed that it will not provide that information unless served with a subpoena.

We cannot determine the identity of the defendants without obtaining information from Domains By Proxy, LLC by subpoena. Therefore, unless the defendants authorize their attorneys to disclose their identities to us, our only way of determining these identities is to subpoena that information from Domains By Proxy, LLC.

Respectfully yours,

Villiam Dunnegan

William Dunnecan

Cc: Peter M. Resnick, Esq.
Attorney for Defendants

Substant Donain of John Lot of John Love Nos. I named in this action. No pre-motor conference shall be necessary for their purpose SO ORDERED:

9-4-12

MCTOR MARRERO, U.S.D.J.

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